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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/594,115

09/25/2006

Hiromi Uchida

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8932

31780

7590

01/11/2010

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EXAMINER

ARTHUR JEANGLAUDE, GERTRUDE

ART UNIT

PAPER NUMBER

3661

MAIL DATE

DELIVERY MODE

01/11/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/594,115	<b>Applicant(s)</b> UCHIDA ET AL.	
	<b>Examiner</b> GERTRUDE ARTHUR JEANGLAUD	<b>Art Unit</b> 3661	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

In the abstract, lines 6, 9, 10, the word "means" must be avoided. Appropriate correction is required.

### ***Claim Objections***

Claims 5, 10, 12, 14, 19, are objected because they can not depend from a claim that has alternative dependency. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 16-18, 20-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Harada (JP 2002-340596).

Regarding claims 1-3, 16-18, 20-22, Harada discloses that instructions are recognized from the voice of the user by voice recognition, a search is carried out for facilities of a specified genre within the range of a specified distance of a specified position or a current position, and these facilities are displayed in order of proximity (See abstract, paragraph 0002, 0008, 0010, 0020).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-5, 8-13, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harada (JP 2002-340596) in view of Takahashi et al. (JP 2001-184359).

Regarding claims 4-5, 8-13, 19 Harada discloses all but fails to specifically disclose that a plurality of positions indicating a road are inputted, and the range of a facility search is set to within a predetermined distance from a road or along a road within the range from the inputted start position to end position. However, Takahashi et al. disclose the start point and end point of a search line together with the distance from the search line are specified, and the search range of the search along a line on the map is specified (See paragraph 0002-0010, 0038-0045); therefore, it would have been

Art Unit: 3661

obvious to one of ordinary skill in the art at the time of the invention to modify the system of Harada with that of Takahashi by inputting a plurality of positions indicating roads and set the range of a facility search to within a predetermined distance from a road or along a road within the range from the inputted start position to end position in order to attain a specified position.

Claims 6, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harada (JP 2002-340596) in view of Yase et al. (JP 2002-055989).

Regarding claims 6, 15, Harada fails to specifically disclose a triangular or polygonal area, having as its apexes three or more positions obtained by inputting positions three or more times, is made to serve as the search range. However, Yase et al. disclose that range specification is carried out on a map by specifying a polygonal range (a closed area formed by specifying three or more points and joining two points with straight lines in the order in which they were specified) using a mouse (See paragraph 0012, 0029, 0031-0033) therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system Harada with that of Yase by having a triangular or polygonal area, having as its apexes three or more positions obtained by inputting positions three or more times, serve as the search range in order to provide map information.

Claims 7, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harada (JP 2002-340596) in view of Kawabata et al. (JP 2003-203075).

Regarding claims 7, 14, Harada discloses all but fails to specifically disclose a plurality of positions are inputted, and a facility search is carried out with the interim

Art Unit: 3661

position between the positions inputted first and last as a reference point. However, Kawabata et al. disclose that when specifying a search range on a map, two points are specified on a map, and a circle having these points as the diameter is made to serve as the range, and the center of this circle is the intermediate position between the two points (See paragraph 0003, 0005,0009, 0045, 0046,0054); therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Harada with that of Kawabata et al. by specifying a search range on a map, two points are specified on a map, and a circle having these points as the diameter is made to serve as the range, and the center of this circle is the intermediate position between the two points in order to provide a searching system that is capable of performing the search on the basis of a range within a distance from a designated positional information.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Koizumi

(U.S. Patent No. 6,462,676)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERTRUDE ARTHUR JEANGLAUD whose telephone number is (571)272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

Art Unit: 3661

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gertrude Arthur-Jeanglaude/  
Primary Examiner, Art Unit 3661